

**DNR REGULATORY AGENDA FOR SFY 2008**  
**FORM FOR REGULATORY ACTION DESCRIPTION**

**Rule Making Authority**

Director ☐  
Environmental Protection Commission (EPC) ☒  
Natural Resource Commission (NRC) ☐  
Energy & Geological Resource Division ☐

**Title of Regulatory Action**

General permit for regulating effluents from LUST clean up sites

**Rule Chapter(s) that may be involved**

567 Chapter 64

**Description of Contemplated Regulatory Action**

(Including, to the extent reasonable and practicable, alternatives to be considered and preliminary estimate of costs and benefits of the Action)

This rulemaking action is intended to issue a National Pollutant Discharge Elimination System (NPDES) General Permit for effectively regulating LUST cleanup sites.

Costs: The department will have additional cost for permitting and enforcement staff because most of these sites are not currently permitted through NPDES although they are prohibited from discharging without an NPDES permit.

Benefits: This rulemaking action will protect water quality by regulating wastewater from LUST cleanup sites. The general permit will reduce the amount of information required in a permit application and reduce the time needed to obtain permit coverage. The department benefits from reduced staff time needed to process the permits.

**Legal Basis**

(Include whether action is required by statute or court order)

Iowa Code subsection 455B.173

**Need for Regulatory Action**

(Include if applicable how the action will reduce risk to public health, safety, or the environment)

This action will reduce the risk to public health and the environment from wastewater discharges originating from LUST cleanup sites, through permitting and enforcement of their discharges to waters of the state. This rulemaking action is intended to provide adequate protection for both human health and aquatic life by following and interpreting the Clean Water Act, Federal Code of Regulations, and Iowa Codes.

**Other Affected/Interested  
Rule Making Authorities**

EPA, DOT, Agriculture Department, Public Health Department, DED,  
Engineering and Land Surveying Board

**Potential Public Groups  
Impacted**

Owners of facilities with LUST cleanup sites, consulting companies that provide LUST cleanup services, Iowa Environmental Council, Iowa Sierra Club, and other environmental groups.

**Schedule:**

(Actions & month/year)

EPC informational item by March 2008  
Notice of Intended Action to be filed by April 2008  
Public hearings in July 2008  
Final rule to EPC by September 2008

**Staff Contact/Phone #**

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